IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 24605 of 2004

Between:

Nagula Vijaya Lakshmi, W/o. Balagound,
R/o. Vallampahad Village, Karimnagar Mandal and District.

... PETITIONER

AND

1 The Mandal Revenue Officer, Karimnagar Mandal & District.
2 The Panchayat Secretary, Vallampahad village Karimnagar

Mandal and District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more in the nature of Writ of Mandamus directing the respondent No.2 herein to consider the dispose the representation dt. 27-11-2004 which was filed for incorporation of my name in Column No.12 of the Pahani as owner and pattedar in respect of the land in Sy.NO. 165 (old) 165/2 & 165/3 (New) extent Ac.3.00 situated at Vallampahad Village, Karimnagar Mandal and District by duly declaring the inaction on the part of the 2nd respondent in not incorporating my name in coloumn NO.12 of Pahani as illegal, arbitrary and contrary to the provisions of A.P. Rights in Land and Pattadar Pass Books Act, 1971.

Counsel for the Petitioner: MR.V.RAVI KIRAN RAO

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the 2nd respondent in not considering the representation of the petitioner dated 27-11-2004 to incorporate her name in Column.12 of pahani as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent, the writ petition is being disposed of at the admission stage.

3. Petitioner claims to be the owner and possessor of the land in an extent of Ac.3.00 guntas in Sy.No.165, situated at Vallampahad village, Karimnagar Mandal, Karimnagar District. On petitioner intimating the first respondent about his ownership over the property, first respondent, vide Memo No.B1/996/94 dated
05-01-1996 directed the second respondent – Panchayat Secretary to take necessary action for incorporation of the petitioner's name in the Revenue records, who in turn, issued pattadar passbooks and title deeds in respect of the aforementioned land, in her favour.

4. It is stated that in spite of producing the pattadar passbook and title deed before the second respondent, he failed to incorporate the name of the petitioner as owner and pattadar, but only incorporated his name as possessor and enjoyer of the said property in the Revenue records. Aggrieved thereby, petitioner said to have filed an application dated 27-11-2004 to the second respondent to incorporate her name in Column No.12 of the pahani, but the second respondent failed to take any action whatsoever on the request of the petitioner.

5. In view of the fact that the application dated 27-11-2004 is pending on the file of the second respondent, I deem it appropriate to dispose of the writ petition with the following direction.

6. The second respondent – Panchayat Secretary is hereby directed to consider the

application of the petitioner dated

27-11-2004 and dispose of the same, expeditiously, in accordance with law.

The writ petition is accordingly disposed of at the admission stage.

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N.V. RAMANA, J

December 29, 2004

MRR / SVV

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1 The Mandal Revenue Officer, Karimnagar Mandal & District.
2 The Panchayat Secretary, Vallampahad village Karimnagar

Mandal and District.

3 Two C.C. s to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT)

4 Two C.D. Copies.